

REMARKS

Claims 1-4, 13 and 17-27 are pending in the application. Claims 25 and 26 are withdrawn from consideration. Claims 1-4, 13, 17-24 and 27 are rejected.

As a preliminary matter, Applicant thanks the Examiner for listing Kanayama et al. 2003/0095213 on Form PTO-892 indicating that it has been considered and made of record.

35 U.S.C. § 102:

Claims 1 and 4 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ishihara et al. (U.S. Patent No. 6,535,256 [hereinafter “Ishihara”]).

Independent claim 1 was previously amended to recite “additional” reflective planes, “other than the first, second and third mirrored planes.” The Examiner now applies Ishihara for allegedly disclosing this feature.

Applicant thanks the Examiner for the interview of August 12, 2005, during which the undersigned attorney discussed features of the invention with Examiner Sever.

As explained during the interview, the light beam of Ishihara’s Figure 1 is disclosed as being only directed through the planes B, R and G and that no additional light is disclosed as being incident on any additional surfaces. The Examiner then asserted that light may be inherently present within the beam splitter 7 and that light may be incident on the internal side walls of the beam splitter, even though this incident light may not come from the light source 1.

To expedite prosecution, Applicant’s amend claim 1 to further describe a light source and describe that the additional reflective planes reflect light radiated from the light source, as

suggested by the Examiner. This feature, in combination with the other claimed features, provides a unique and unobvious light pipe, with beneficial aspects not provided by the art. Ishihara fails to disclose at least this feature because the light provided from the source 1, in Ishihara, is incident on only the surfaces B, R and G, and not any additional reflective surfaces, as shown in Figure 1 of Ishihara. In contradistinction, as shown in the exemplary non-limiting embodiment of present Figure 4, light radiated from the light source is incident on the first, second and third dichroic prisms (e.g., 79, 81 and 83), as well as the additional reflective surfaces (e.g., 79a, 81a).

Accordingly, Ishihara fails to disclose each feature recited in amended claim 1, such that the rejection thereof under 35 U.S.C. § 102(e), should be withdrawn. Similarly, the rejection of claim 4 should be withdrawn at least by virtue of it depending from claim 1.

35 U.S.C. § 103:

Claims 2 and 3

Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishihara and further in view of Okuyama (US Patent No. 6,406,149).

Okuyama is applied for teaching first and second beam splitters 7a and 7b, with a 1/2 wave plate 7c. Applicant submits that the combination of Ishihara and Okuyama fails to teach or suggest each feature found in claim 1, such that the rejection of claims 2 and 3 under 35 U.S.C. § 103(a) should be withdrawn, at least by virtue of claims 2 and 3 depending upon claim 1. This is because Okuyama fails to make up for the deficient teachings of Ishihara in regard to claim 1.

Claims 13, 17, 18, 21-24 and 27

Claims 13, 17, 18, 21-24 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishihara in view of Lambert.

The Examiner's application of Ishihara against claims 13 and 17 is similar to the application of Ishihara against claim 1. Lambert is applied for disclosing a scanning system which scrolls light across an imager, as shown in Figure 5. Applicant therefore further defines independent claims 13 and 17 in a manner similar to claim 1. In particular, claims 13 and 17 describe that the additional reflective planes reflect light radiated from the claimed light source. Ishihara fails to disclose at least these features because the light radiated from the source 1 is incident on only the surfaces B, R and G, and not any additional reflective surfaces which similar to the claimed surfaces.

Accordingly, Applicant respectfully submits that the application of Lambert and Ishihara fails to teach or suggest each feature recited in amended independent claims 13 and 17, such that the rejection thereof under 35 U.S.C. § 103(a) should be withdrawn. The rejection of dependent claims 18, 21-24 and 27 should also be withdrawn at least by virtue of these claims respectfully depending upon independent claims 13 and 17.

Claims 19 and 20

Claims 19 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishihara in view of Lambert and further in view of Okuyama.

As described above, Ishihara, Lambert and Okuyama fail to teach or suggest the combination of features found in independent claim 17. Therefore, Applicant respectfully submits that dependent claims 19 and 20 are patentable over the applied references at least by virtue of their respective dependencies on claim 17.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


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